

Remarks

The final Office Action mailed on January 15, 2008 has been carefully reviewed and considered. Claim 19 is herewith canceled without prejudice, and new claims 36-40 are added. Accordingly, claims 1, 3-16 and 31-40 are pending in the application. Claims 1, 3-16 and 31-35 stand rejected under the present Office Action.

Applicant thanks the Examiner for acknowledgment of Applicant's priority under 35 USC §119 (e), and for acknowledging that applicant has established that the '303 and '040 applications fully support the pending claims. Also noted with appreciation is the Examiner's acknowledgment of clarifications previously submitted. In addition, Applicant thanks the Examiner for entry of Applicant's Affidavit under 35 USC §1.130 and withdrawal of the corresponding rejection under 35 USC § 102(a).

The specification is herewith amended to expressly include language previously incorporated by reference to United States provisional patent application number 60/234,303 (the '303 application), to which Applicant's claim of priority has been acknowledged. Accordingly, no new matter is added by the proposed amendment, and entry of this amendment is respectfully requested.

Claims 4 and 33 are amended to delete respective extraneous articles and thus correct obvious clerical errors in the claims as originally filed. The proposed amendments in no way change the scope of claims 4 and 33 and, accordingly, the scope of equivalents available in construing these claims under the Doctrine of Equivalents is unaffected by this amendment.

As noted above, claim 19 is herewith canceled without prejudice in order to advance prosecution of the application. Applicant reserves the right to prosecute claim 19 and other claims in this and other applications.

Claim 19 stands rejected under 35 USC §102(b). In light of the cancellation of claim 19, the pending rejection is moot and should be withdrawn. Corresponding action is respectfully solicited.

Claims 1 and 3-6 stand rejected under 35 USC §103(a) over United States patent number 6,449,006 to Rappaport et al. (*hereinafter* Rappaport) in view of "Network Tools and Tasks" by Kyle Kuczun and M. D. Gross, (*hereinafter* Kuczun).

As noted in previous submissions, the present invention relates to a system and method for network infrastructure management. Claim 1 recites:

A method for deploying a fiber optic communication network comprising: storing an attribute of an optical communication component in a computer catalog database entry; associating said catalog database entry with a design profile; selecting said database entry from said design profile; reading said attribute from said database entry; associating said attribute with a planned deployment of a physical instance of said component; and forming a visible image representing said planned deployment, said visible image including a separately identified integrated detail drawing. Emphasis added.

The Rappaport reference relates to "[a] method for displaying the results

of a predicted wireless communication system performance as a three-dimensional region of fluctuating elevation and/or color within a three-dimensional computer drawing database consisting of one or more multi-level buildings, terrain, flora, and additional static and dynamic obstacles (e.g. automobiles, people, filing cabinets, etc.)."

The Patent Office has acknowledged that Rappaport does not teach or suggest including a separately identified integrated detail drawing. The Office proposes to combine Rappaport with Kuczun in an attempt to remedy this deficiency and support the pending rejection. Applicant respectfully traverses.

The Kuczun reference relates to "a suite of computer-based network design tool that employ freehand drawing as an interface." Abstract. According to Kuczun, the Electronic Cocktail Napkin tries to bridge the gap between freehand drawing and computational support. Page 4, column 1, lines 21-22.

In traversing Applicant's previously offered arguments, the pending Office Action relies on a caption of Kuczun's figure 6 which reads "[i]f the designer selects a specific node in the diagram more information appears." (Page 4, figure 6). Figure 6 of Kuczun clearly shows, however, not a detail drawing but a pop-up window entitled "Node Information." The Node Information window displays a textural list of node information. There is nothing in Kuczun to teach or suggest "a separately identified integrated detail drawing." Further, the "node" or "icon" of Kuczun, merely represents discrete devices (e.g., "Server (SALIMA)", "Macintosh (GOLDHILL)", "Macintosh (YAVIN)"). Thus there is nothing to suggest that the textural lists proposed by Kuczun do more than

identify characteristics of individual devices, and certainly nothing to suggest an "integrated detail drawing".

In like fashion, the Office Action's suggestion that the subject claim feature is met by "[a] vendor web page... linked to a sketch of a router," completely misconstrues the meaning of an "integrated detail drawing." Kuczun's figure 10 shows an externally linked device image with a textural listing of connection points. "Figure 10 shows a router symbol linked to Cisco's website that provides technical information on their routers." Page 4, column 1, last paragraph. Providing a facility adapted to search the web for a link to vendors advertisement or datasheet would in no way teach or suggest the claimed features of "forming a visible image representing said planned deployment, said visible image including a separately identified integrated detail drawing" to the creative practitioner of ordinary skill in the art. Moreover, the Kuczun notion of "link[ing] drawings in the Napkin's sketchbook... to vendor sites," e.g., "... to Cisco's website that provides technical information on their routers," is completely contrary to, and teaches directly away from, the context of the present claim, including:

storing an attribute of an optical communication component in a computer catalog database entry; associating said catalog database entry with a design profile; selecting said database entry from said design profile; reading said attribute from said database entry; [and] associating said attribute with a planned deployment of a physical instance of said component. Emphasis added.

In light of the foregoing, the combination of Rappaport and Kuczun certainly would not teach or suggest the claimed combination of features to the skilled practitioner, and in several respects the Kuczun reference teaches directly away from the proposed combination. For these and other reasons, Applicant respectfully requests that the pending rejection of claim 1 under 35 USC §103(a) over Rappaport in view of Kuczun should be withdrawn.

Claims 3-6 each depend, directly or indirectly, from claim 1 and incorporate every feature thereof. Accordingly, for at least the reasons given above in relation to claim 1, the rejections of claim 3-6 under 35 USC §103(a) over Rappaport in view of Kuczun should be withdrawn. Allowance of claims 1 and 3-6 is therefore respectfully requested.

Claims 7-9, 12 and 31-35 stand rejected under 35 USC §103(a) over Rappaport in view of Kuczun and in further view of United States patent number 4,866,704 to Bergman (*hereinafter* Bergman).

Claims 7-9, 12 and 31-35 each depend, directly or indirectly from claim 1 and incorporate every feature thereof. The deficiencies of Rappaport and Kuczun as to the invention of claim 1 are identified above, and the further combination of Bergman with Rappaport and Kuczun does nothing to overcome these deficiencies. Thus, for at least the reasons given above in relation to claim 1, the rejections of claim 7-9, 12 and 31-35 under 35 USC §103(a) over Rappaport in view of Kuczun and in further view of Bergman should be withdrawn. Allowance of claims 7-9, 12 and 31-35 is therefore respectfully requested.

Claims 10 and 11 stand rejected under 35 USC §103(a) over Rappaport in view of Kuczun and in further view of United States patent number 5,761,432 to Bergholm et al. (*hereinafter* Bergholm).

Claims 10 and 11 each depend directly from claim 1 and incorporate every feature thereof. As noted above, the combination of the Rappaport and Kuczun disclosures do not render claim 1 obvious, and the proposed further combination with the Bergholm disclosure does not remedy this deficiency. Accordingly, for at least the reasons given above in relation to claim 1, the rejections of claims 10 and 11 under 35 USC §103(a) over Rappaport in view of Kuczun and in further view of Bergholm should also be withdrawn. Allowance is respectfully requested.

Claims 13 and 16 stand rejected under 35 USC §103(a) over "Modeling Multiple View of Design Object in a Collaborative CAD Environment" by Rosenman (*hereinafter* Rosenman) in view of Rappaport and in further view of Kuczun.

Claim 13 recites in pertinent part:

 said first data including a logical model of a communications network;
 said calculations portion being adapted to calculate power and signal relationships within said communications network; and
 said software including an integrated detail drawing portion adapted to record a separately identified detailed layout of a network within a multiple dwelling unit. Emphasis added.

The Office Action acknowledges that neither Rosenman nor Rappaport teaches the claimed "detail drawing portion." Rather, the Patent Office proposes that Kuczun teaches "an integrated detail drawing portion adapted to record a separately identified detailed layout of a network within a multiple dwelling unit." As demonstrated above, however, Kuczun does not teach "an integrated detail drawing portion," as claimed. Further, there is nothing in any of Rosenman, Rappaport or Kuczun to teach or suggest "an integrated detail drawing portion adapted to record a separately identified detailed layout of a network within a multiple dwelling unit." Accordingly, the proposed combination of Rosenman, Rappaport and Kuczun does not teach or suggest every feature of claim 13 and, therefore, does not render claim 13 obvious. Consequently, the rejection of claim 13 under 35 USC §103(a) over Rosenman in view of Rappaport and in further view of Kuczun should be withdrawn. Allowance of claim 13 is therefore respectfully requested.

Claim 16 depends directly from claim 13 and incorporates every feature thereof. Accordingly, for at least the reasons given above in relation to claim 13, the rejection of claim 16 under 35 USC §103(a) over Rosenman in view of Rappaport and in further view of Kuczun should also be withdrawn. Allowance is respectfully requested.

Claims 14 and 15 stand rejected under 35 USC §103(a) over Rosenman in view of Rappaport and in further view of Kuczun and in still further view of Bergman.

Claims 14 and 15 each depend, directly or indirectly, from claim 13 and incorporate every feature thereof. As discussed above, the Bergman reference

includes nothing that would teach or suggest to the creative practitioner of ordinary skill in the art, the claim 13 features of "including an integrated detail drawing portion adapted to record a separately identified detailed layout of a network within a multiple dwelling unit." Accordingly, for the reasons given above in relation to claim 13, the rejections of claims 14 and 15 under 35 USC §103(a) over Rosenman in view of Rappaport and in further view of Kuczun and in still further view of Bergman should be withdrawn, and claims 14 and 15 should be allowed. Such action is respectfully requested.

Claims 1, 3-16 and 31-35 stand rejected under 35 USC §103(a) over "CADDstar version 5.0 help manual" (*hereinafter* Help Manual) in view of Kuczun.

The Office Action does not identify any aspect of the Help Manual that would teach or suggest the claimed features of "a separately identified integrated detail drawing" and, as thoroughly demonstrated above, the Kuczun reference cannot remedy this deficiency. Accordingly, the proposed combination of the Help Manual with Kuczun does not teach or suggest every feature of the rejected claims and, therefore, does not render any of claims 1, 3-16 and 31-35 obvious. As such, the rejections of claims 1, 3-16 and 31-35 under 35 USC §103(a) over Help Manual in view of Kuczun should be withdrawn. Allowance is respectfully requested.

New claims 36-40 are added herewith to more clearly define the invention. Support for new claims 36-40 is found at least in figure 16 and in the specification at page 34, line 15-page 35, line 14. In light of the remarks and arguments provided above, and for other reasons, new claims 36 and 40 are

believed to be in immediate condition for allowance. Entry and allowance of these new claims is therefore respectfully requested.

In light of the foregoing, all claims now pending in the application are believed to be in immediate condition for allowance. Allowance of all claims and prompt passage of this application to issue is therefore earnestly solicited.

A petition for a three (3) month extension of time is transmitted herewith, along with the requisite fee. If required, the Commissioner is hereby petitioned, under 37 C.F.R. § 1.136 (a), to extend the time for filing a response to an outstanding Office Action, or any communication filed in this application by this firm, by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 50-3950 of Bergman & Song LLP, under Order No.: **H0630-0003-P003**.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (617) 868-8871 in Cambridge, Massachusetts.

Dated: JUL 15 2008

Respectfully submitted,

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